

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ AUG - 1 2014 ★

-----X
MIGUEL P. QUINONES,

Plaintiff,

-against-

NYC LEGAL POLICE DEPT.,

Defendant.
-----X

BROOKLYN OFFICE

MEMORANDUM & ORDER

14-cv-4294 (ENV) (LB)

VITALIANO, D.J.,

On August 18, 2010, plaintiff Miguel P. Quinones initiated a lawsuit, in the United States District Court for the Southern District of New York, against the City of New York (the "City") and various officers of the New York City Police Department, alleging violations of his civil rights. *See generally Quinones v. City of New York, et al.*, No. 10-cv-6195, ECF No. 26 (S.D.N.Y. Dec. 8, 2011). The parties settled, and District Judge John G. Koeltl dismissed the case on December 8, 2011. *Id.* Plaintiff then moved, *pro se*, to reopen the case and set aside the settlement, claiming that his counsel had improperly colluded with the City and "falsely represented" him. *See id.* at ECF Nos. 46, 48. Plaintiff's motion was denied on June 13, 2012. *Id.* at ECF No. 62.¹ On July 9, 2014, Quinones filed a complaint in this Court seeking to reopen and transfer his Southern District case here, adding a claim

¹ Quinones went on to unsuccessfully collaterally attack the settlement and seek monetary relief from the New York City Corporation Counsel, in Supreme Court, New York County. *See Quinones v. NYC Legal*, No. 104045/2012 (Sup. Ct., New York Cnty., Sept. 23, 2013).

against the New York City Corporation Counsel (named in the complaint as “NYC Legal Police Department”).

The Court construes plaintiff’s instant filing as a motion for reconsideration of Judge Koeltl’s order of dismissal. Such motions are appropriately brought in the court where the case is or was pending. Without offering any opinion on the merits of plaintiff’s claims, this action is hereby transferred, in the interests of justice, and pursuant to 28 U.S.C. § 1404(a), to the United States District Court for the Southern District of New York.

Conclusion

The Clerk of Court is directed to transfer this action forthwith to the United States District Court for the Southern District of New York. Local Rule 83.1, requiring a seven day stay of any order transferring venue, is waived. The Clerk is further directed to administratively close this docket.

SO ORDERED.

**Dated: Brooklyn, New York
July 24, 2014**


s/Eric N. Vitaliano

ERIC N. VITALIANO
United States District Judge